

REMARKS

The above preliminary amendments and following remarks are submitted in accordance with a Request for Continued Examination filed on even date and in response to the Final Official Action of the Examiner mailed on May 19, 2005. Having addressed all objections and grounds of rejection, claims 1-20, being all the pending claims, are now deemed in condition for allowance. Reconsideration to that end is respectfully requested.

The Examiner has objected to the specification. In response thereto, the requested information has been provided above.

Claims 1-5 and 16-20 have been rejected under 35 U.S.C. 112, second paragraph, in view of certain informalities. In response thereto, claims 1 and 16 have been amended above.

The Examiner has made a provisional, judicially created, obviousness-type double patenting rejection. As stated before, this application is in prosecution and claims are not yet allowed. If the present condition were to exist upon allowance of all claims, Applicants would favorably consider filing a terminal disclaimer.

Claims 1-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,058,264, issued to Glaser (hereinafter referred to as "Glaser"). This ground of rejection is respectfully traversed as to amended claims 1-20 for the following reasons.

Claim 1, as amended, requires that each step be
"encapsulated within its own environment" permitting each step to
be separately and independently edited with the claimed Data
Wizard. This functionality is summarized in the specification at
5 page 12, line 21, through page 13, line 9, and described in
detail in Figs. 25-35 with corresponding detailed description at
pages 57-67. Glaser has no provision for accommodating these
developmental features. The rejection of claim 1 as amended, and
all claims depending therefrom, is respectfully traversed.

10 Claim 6, as amended, requires:

....wherein each of said ordered sequence of discrete
and independent steps exists within its own
encapsulated environment such that each of said ordered
sequence of discrete and independent steps may be user
15 modified independently of others of said ordered
sequence of discrete and independent steps.

As explained above, Glaser does not provide this feature for
service development. The rejection of claim 6 as amended, and
20 all claims depending therefrom, is respectfully traversed.

Claims 2 and 7 depend from claims 1 and 6, respectively, and
further limit the claimed network. Glaser cannot meet the
limitations of claims 1 and 6 for the reasons provided above.
Therefore, Glaser cannot meet the further limitations of claims 2
25 and 7. The rejection of claims 2 and 7 is respectfully
traversed.

Claims 3, 9, and 13-14 depend from claims 2, 8 and 12, respectively, and further limit the software architecture of the claimed user terminal. In making her rejection, the Examiner cites Glaser, Fig. 1, element 102. Fig. 1 says nothing of the software architecture of Client Computer 102. In fact, Glaser does not define the software architecture of Client Computer 102 anywhere. Therefore, the rejection of claims 3, 9, and 13-14 is respectfully traversed.

Claims 4, 8, and 12 depend from claims 3, 7, and 11, respectively, and are further limited wherein the claimed "Data Wizard" automatically inhibits presentation of invalid steps. Applicants' prohibit presentation of invalid steps. In other words, invalid steps are not displayed at all. Glaser, on the other hand, displays invalid steps, but offers the user the opportunity to delete invalid steps after displayed. Thus, Glaser displays invalid steps and Applicants' claimed invention never does.

In making her rejection, the Examiner admits the claimed functional distinction between Glaser and the claimed invention, but cites a 1958 CCPA case of dubious precedential value¹ to support the Examiner's statement:

¹The case cited by the Examiner is nearly 50 years old from a court which ceased to exist nearly 25 years ago.

The court held that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art.

5 However, the functional differences admitted by the Examiner correspond to actual structural differences. The structure of Applicants' claimed "Data Wizard" is different from the structure of Glaser's "Extender Smart Guide" in that Applicants' invention
10 prevents display of invalid steps whereas Glaser's does not. It is these structural differences which render Applicants' claimed invention patentable over Glaser. The rejection of claims 4, 8, and 12 is respectfully traversed.

Claims 5, 10, and 15 depend from claims 4, 9, and 14,
15 respectively, and further limit the claimed "data base management system" to a "commercial" system. In making her rejection, the Examiner cites Glaser, column 3, lines 49-56, holding that Glaser "is primarily targeted to enterprise customers". Surely, the Examiner can distinguish between the claimed "commercial" system
20 which may or may not be an enterprise system and Glaser's "enterprise customers" which may or may not use the claimed "commercial" system. The rejection of claims 5, 10, and 15 is respectfully traversed.

Claim 11, as amended, is an independent method claim having
25 eight basic method step limitations. As explained above,

Applicants' invention prevents only valid steps. Glaser does not distinguish between valid and invalid steps.

Furthermore, as amended, claim 11 upon selection of a step requires modification of that chosen step. This feature is also
5 not found within Glaser. The rejection of claim 11, and all claims depending therefrom, is respectfully traversed.

Claim 16 is an independent apparatus claim having five separate "means-plus-function" limitations. As amended, claim 16 requires that the claimed "steps" are encapsulate within their
10 own environments to permit individual editing without impact upon other steps. As explained above, this feature is not found in Glaser. The rejection of claim 16, and all claims depending therefrom, is respectfully traversed.

Claim 17 depending from claim 16 and is further limited by
15 an "inhibiting means". As explained above, this is distinguishable from the "delete button" in that claim 17 prevents display of invalid steps and the delete button of Glaser does not prevent display but only provides a subsequent erasing of a previously displayed element. The rejection of claim 17 is
20 respectfully traversed.

Claims 18 depends from claim 17 and further limits the claimed network. Glaser cannot meet the limitations of claims 17 for the reasons provided above. Therefore, Glaser cannot meet

the further limitations of claim 18. The rejection of claim 18 is respectfully traversed.

Claim 19 depends from claim 18 and further limits the claimed "data base management system" to a "commercial" system.

5 In making her rejection, the Examiner cites Glaser, column 3, lines 49-56, holding that Glaser "is primarily targeted to enterprise customers". Surely, the Examiner can distinguish between the claimed "commercial" system which may or may not be an enterprise system and Glaser's "enterprise customers" which
10 may or may not utilize the claimed "commercial" system. The rejection of claim 19 is respectfully traversed.

Claim 20 depends from claim 19 and further limits the software architecture of the claimed user terminal. In making her rejection, the Examiner cites Glaser, Fig. 1, element 102.

15 Fig. 1 says nothing of the software architecture of Client Computer 102. In fact, Glaser does not define the software architecture of Client Computer 102 anywhere. Therefore, the rejection of claim 20 is respectfully traversed.

20 Claims 6-10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,169,992, issued to Beall et al (hereinafter referred to as "Beall") in view of U.S. Patent No. 6,285,998, issued to Black et al (hereinafter referred to as "Black"). This ground of rejection is respectfully traversed.

Claim 6 as amended requires that each of the claimed "step" is encapsulated within its own environment to permit each step to be edited independently of the others. The alleged combination of Beall and Black does not have this feature. Therefore, the rejection of claim 6, and all claims depending therefrom, is respectfully traversed.

Claim 7 depends from claim 6 and further limits the claimed network. The alleged combination cannot meet the limitations of claim 6 for the reasons provided above. Therefore, the alleged combination cannot meet the further limitations of claim 7. The rejection of claim 7 is respectfully traversed.

Claim 8 depends from claim 7 and is further limited by "inhibiting presentation". The alleged combination does not "inhibit presentation" because it must present an invalid step to provide an opportunity for the user to manually delete it. The rejection of claim 8 is respectfully traversed.

Claim 9 depends from claim 8 and further limits the software architecture of the claimed "user terminal". The alleged combination does not even address the software architecture of the alleged computer terminal. The rejection of claim 9 is respectfully traversed.

Claim 10 depends from claim 9 and further limits the claimed data base management system. The alleged combination cannot meet the limitations of claim 9 for the reasons provided above.

Therefore, the alleged combination cannot meet the further limitations of claim 10. The rejection of claim 10 is respectfully traversed.

Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amendment and allowance of claims 1-20, being the only pending claims.


Please charge any deficiencies or credit any overpayment to Deposit Account No. 14-0620.

Respectfully submitted,

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By his attorney,

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